

C H A P.  
XXVII.Persons con-  
vict of Forni-  
cation, to be  
fined 30 s. or  
600 lb To-  
bacco:

II. And be it further Enacted, *by the Authority, Advice and Consent aforesaid*, That every Person or Persons that shall commit Fornication, and be thereof convict in the Provincial, or County Court, either by Confession, or Verdict of Twelve Men, shall be fined Thirty Shillings Current Money of this Province, or Six Hundred Pounds of Tobacco, by the Justices before whom such Conviction shall be, to the King's Majesty, his Heirs and Successors, for the Support of the County Charge.

Of Adultery,  
3 l. Currency,  
or 1200 lb  
Tobacco.

III. And be it Enacted, *by the Authority, Advice and Consent aforesaid*, That every Person or Persons that shall commit Adultery, and shall be thereof convict, either by Confession, or Verdict of Twelve Men, in the Provincial, or any of the County Courts of this Province, shall be fined, by the Justices before whom such Conviction shall be, Three Pounds Current Money as aforesaid, or Twelve Hundred Pounds of Tobacco, to the King's Majesty, his Heirs and Successors, towards defraying such County Charge as aforesaid.

Repealed.  
See the Note  
on §. 5.

IV. And in case the said Offenders, or any of them, shall not have wherewith to pay the several Fines by this Act imposed, then the said Offenders shall be adjudged to suffer corporal Punishment by Whipping upon his or their bare Bodies, 'till the Blood do appear, so many Stripes (not exceeding Thirty-nine) as the Justices, before whom such Conviction shall be, shall adjudge.

Repealed.

V. Provided, That this Act shall not be construed to extend, as to the Fine, to Women who have Bastards, and do refuse to discover the Father, or Begetter of such Children: But that in such Cases it shall be in the Discretion of the Justices, before whom such Woman or Women shall be convicted, either to take the Fine by this Act appointed, or to award corporal Punishment; any thing in this Act before to the contrary notwithstanding.

—N. B. By the Act of 1749, ch. 12, §. 6, so much of this Act as relates to corporal Punishment for Fornication, is repealed.

The Manner  
in which Per-  
sons suspected  
of Inconti-  
nency shall  
be summoned  
before the  
Minister,  
Vestry and  
Church-war-  
dens, in order  
to Admoni-  
tion and Con-  
viction.

VI. And for the ascertaining what Women shall be accounted Lewd; Be it Enacted, *by the Authority aforesaid, by and with the Advice and Consent aforesaid*, That it shall and may be lawful for the Minister, Vestry and Church-wardens of any Parish where there is a Minister, and for the Vestry and Church-wardens where there is no Minister, before any Admonition by them or any of them given, in pursuance of the Directions aforementioned, to give Notice, or cause Notice to be given, to any Person or Persons by them, or the major Part of them, suspected of Lewdness or Incontinency, and being or residing within their respective Parishes, to appear before them, or the major Part of them, at such Time and Place as they, or the major Part of them, shall appoint: And on the Appearance of such Person or Persons, to acquaint them of the Suspicion that is had of them, and to hear what reasonable Excuse such Persons shall offer, why they ought not to be proceeded against according to Law, as Fornicators or Adulterers, as the Case shall happen. And in case the Person or Persons, having such Notice given them, shall not appear according to such Notice, on Affidavit of such Notice given, or appearing, do not excuse or acquit themselves of the Grounds of such Suspicion, in such Manner as such Minister, Vestry and Church-wardens as aforesaid shall approve; that then it shall and may be lawful for such Minister, Vestry and Church-wardens, or the major Part of them as aforesaid, and they are hereby required to admonish such Person or Persons, according to the Directions aforementioned; which Admonition, together with Proof of the Cohabitation of the Parties so admonished, or their frequenting the Company of each other, contrary to, and after such Admonition given, shall be sufficient Evidence, in any Court of this Province to \* convict the Person so cohabiting, or frequenting each others Company, after Admonition given as aforesaid, of Fornication,